

# ***EXHIBIT A***



**Service of Process  
Transmittal**

04/15/2022

CT Log Number 541412740

**TO:** KIM LUNDY- EMAIL  
Walmart Inc.  
GLOBAL GOVERNANCE/CENTRAL INTAKE, 2914 SE I STREET MS#0200  
BENTONVILLE, AR 72712-3148

**RE: Process Served in Michigan**

**FOR:** Wal-Mart Stores, Inc. (Former Name) (Domestic State: DE)  
WALMART INC. (True Name)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Re: AGUIAR GIORDANO // To: WALMART INC.

**DOCUMENT(S) SERVED:** Letter(s), Summons, Proof(s), Complaint

**COURT/AGENCY:** 16th Circuit Court - Macomb County, MI  
Case # 2022001370NO

**NATURE OF ACTION:** Personal Injury - Slip/Trip and Fall - 08/06/2020, At 28804 Gratiot Avenue,  
Roseville, MI

**ON WHOM PROCESS WAS SERVED:** The Corporation Company, Plymouth, MI

**DATE AND HOUR OF SERVICE:** By Certified Mail on 04/15/2022 postmarked on 04/12/2022

**JURISDICTION SERVED :** Michigan

**APPEARANCE OR ANSWER DUE:** Within 28 days of service

**ATTORNEY(S) / SENDER(S):** Drew Slager  
Mancini Schreuder Kline P.C.  
28225 Mound Rd.  
Warren, MI 48092  
586-751-3900

**ACTION ITEMS:** CT has retained the current log, Retain Date: 04/15/2022, Expected Purge Date:  
04/25/2022  
  
Image SOP

**REGISTERED AGENT ADDRESS:** The Corporation Company  
40600 Ann Arbor Road E  
Suite 201  
Plymouth, MI 48170  
877-564-7529  
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

LAW OFFICES

**MANCINI SCHREUDER KLINE P.C.**

28225 MOUND RD., WARREN, MI 48092-3498

Case 2:22-cv-11013-VAR-DRG ECF No. 1-2 PageID.16 Filed 05/12/22 Page 3 of 9



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US POSTAGE<sup>TM</sup> PITNEY BOWES



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**\$ 007.53<sup>0</sup>**

The Corporation Company

40600 Ann Arbor Rd E Ste 201

Plymouth, MI 48170

48170-467551



LAW OFFICES  
**MANCINI SCHREUDER KLINE P.C.**  
– since 1974 –

CHARLES A. MANCINI  
ELLEN G. SCHREUDER  
ROGER R. KLINE  
MICHAEL J. DENNIS  
DIANE M. ZENTNER  
DREW SLAGER  
ELIZABETH C. CURREY  
ALBERT M. SOPHIEA, Of Counsel  
JAMES P. CONRAD, Of Counsel  
CHARLIE LANGTON, Of Counsel  
WILLIAM BARNWELL, Of Counsel

28225 MOUND RD.  
WARREN, MI 48092-3498  
  
**TELEPHONE (586) 751-3900**  
1-800-750-5678  
FAX (586) 751-7203  
  
[www.mancini-law.com](http://www.mancini-law.com)

Wayne County Offices:  
13710 MICHIGAN AVE  
DEARBORN, MI 48126  
  
VEN JOHNSON, Of Counsel  
JOHNSON LAW, PLC  
  
Oakland County Offices:  
STEVE J. WEISS, Of Counsel  
HERTZ SCHRAM PC  
  
JOHN CHARTERS, Of Counsel  
CHARTERS, TYLER, ZACK & SHEARER P.C.

April 12, 2022

The Corporation Company  
40600 Ann Arbor Rd E Ste 201  
Plymouth, MI 48170

re: Aguiar vs. Wal-Mart Stores, Inc.  
Case No. 2022-001370-NO

Dear Sir/Madam:

Enclosed is a copy of the Summons and Complaint for service upon you as Resident Agent for Defendant, Wal-Mart Stores, Inc., pursuant to Michigan Court Rule 2.105.

Sincerely,

MANCINI SCHREUDER KLINE P.C.

  
DREW SLAGER

DS:ls

Enclosure

Sent via Regular and Certified Mail, Return Receipt No. 7020 2450 0000 0091 3513

Approved, SCAO  <b>STATE OF MICHIGAN</b> JUDICIAL DISTRICT 16th JUDICIAL CIRCUIT COUNTY PROBATE	Original - Court 1st copy - Defendant  <b>SUMMONS</b>	2nd copy - Plaintiff 3rd copy - Return  <b>CASE NO.</b> 2022-001370 -NO
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Court address 40 N. Main Street, Mt. Clemens, MI 48043 Court telephone no.

Plaintiff's name(s), address(es), and telephone no(s). Giordano Aguiar
Plaintiff's attorney, bar no., address, and telephone no. Drew Slager (P 72941) 28225 Mound Rd. Warren, MI 48092 586-751-3900

v

Defendant's name(s), address(es), and telephone no(s). Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP
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**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

**Domestic Relations Case**

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

**Civil Case**

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ \_\_\_\_\_ Court, where

it was given case number \_\_\_\_\_ and assigned to Judge \_\_\_\_\_.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

**SUMMONS**

**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 04/07/2022	Expiration date 07/07/2022	Court clerk
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

**PROOF OF SERVICE**

**SUMMONS**  
 Case No. 2022- -NO

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

**CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE**

<input type="checkbox"/> <b>OFFICER CERTIFICATE</b> I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)	OR	<input type="checkbox"/> <b>AFFIDAVIT OF PROCESS SERVER</b> Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)
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- ☐ I served personally a copy of the summons and complaint,  
☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint,

together with \_\_\_\_\_  
 List all documents served with the summons and complaint \_\_\_\_\_ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee		Signature _____
\$		\$		
Incorrect address fee	Miles traveled	Fee	TOTAL FEE	Name (type or print) _____
\$		\$	\$	Title _____

Subscribed and sworn to before me on \_\_\_\_\_, \_\_\_\_\_ County, Michigan.  
 Date

My commission expires: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of \_\_\_\_\_

**ACKNOWLEDGMENT OF SERVICE**

I acknowledge that I have received service of the summons and complaint, together with \_\_\_\_\_ Attachments  
 \_\_\_\_\_ on \_\_\_\_\_  
 Day, date, time  
 Signature \_\_\_\_\_ on behalf of \_\_\_\_\_

**STATE OF MICHIGAN**  
**IN THE CIRCUIT COURT FOR THE COUNTY OF MACOMB**

GIORDANO AGUIAR,

Plaintiff,

-vs-

WAL-MART STORES, INC. and,  
WAL-MART STORES EAST, LP,

Defendants.

Case No. 22- 001370 -NO  
HON. Kathryn A. Viviano

MANCINI SCHREUDER KLINE P.C.  
DREW SLAGER (P 72941)  
Attorneys for Plaintiff  
28225 Mound Road  
Warren, Michigan 48092-3498  
(586) 751-3900/(586) 751-7203 fax  
[dslager@mancini-law.com](mailto:dslager@mancini-law.com)  
[lsloan@mancini-law.com](mailto:lsloan@mancini-law.com)

There is no other pending or resolved civil action arising  
out of the transaction or occurrence alleged in the complaint.

**COMPLAINT AND DEMAND FOR JURY TRIAL**

NOW COMES Plaintiff GIORDANO AGUIAR by and through his attorneys, Mancini Schreuder Kline P.C., and for his Complaint against Defendants WAL-MART STORES, INC. and WAL-MART STORES EAST, LP, states as follows:

1. Plaintiff is a resident of the City of Harper Woods, County of Macomb, State of Michigan.
2. Defendants WAL-MART STORES, INC. and WAL-MART STORES EAST, LP are foreign business entities and at all relevant times were in possession of a building located at 28804 Gratiot Avenue, in the City of Roseville, County of Macomb, State of Michigan.
3. The amount in controversy herein exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars exclusive of costs, interest and attorney fees.
4. On or about the 6<sup>th</sup> day of August, 2020, Plaintiff GIORDANO AGUIAR was a business invitee of the Defendant, lawfully, rightfully, and at the invitation of Defendant, on its business premises.
5. At the said time and place, while on Defendant's premises, Plaintiff GIORDANO AGUIAR slipped on liquid on the floor of a store aisle, thereby sustaining serious injuries as hereinafter set forth.

6. It was then and there the duty of Defendants to provide safe premises to Plaintiff, to maintain the premises in a safe condition, not to create or enhance the risk of harm to their customers, to inspect said premises, to discover possibly dangerous conditions, to take precautions to protect their customers, to warn customers of unsafe conditions, and to use due care under the circumstances for the safety of their visitors.

7. Notwithstanding said duties, Defendants did breach same by:

- a. negligently maintaining an unsafe condition on the premises, to-wit: liquid on the floor in a high-traffic customer area, when defendants knew or should have known that said condition would be a danger to customers;
- b. allowing unreasonable defects in the physical structure of its property;
- c. choosing not to inspect its premises to determine that a dangerous condition existed;
- d. choosing not to protect against known or discoverable dangerous conditions on their premises;
- e. choosing not to maintain the premises in a safe and reasonable condition;
- f. choosing not to warn Plaintiff of the unsafe condition;
- g. otherwise acting in an unreasonable and imprudent manner; and/or
- h. otherwise breaching duties owed.

8. As a direct and proximate result of Defendants' negligence, Plaintiff GIORDANO AGUIAR slipped and fell, thereby sustaining serious bodily injuries, including but not limited to:

- a. injuries to his low back, legs, and related and resultant injuries;
- b. physical pain and suffering;
- c. disability and disfigurement;
- d. mental anguish;
- e. fright and shock;
- f. denial of social pleasures and enjoyment of the usual activities of life;
- g. embarrassment, humiliation and mortification;



- h. medical expenses, past and future;
- i. loss of earnings and earning capacity; and
- j. other damages allowed by law.

WHEREFORE, Plaintiff requests an award of damages in whatever amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars to which he may be found entitled, together with interest, costs and attorney fees.

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY.

MANCINI-SCHREUDER KLINE P.C.

By: /s/ Drew Slager  
DREW SLAGER (P 72941)  
Attorneys for Plaintiff  
28225 Mound Road  
Warren, Michigan 48092-3498  
(586) 751-3900

Dated: April 7, 2022